

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER OF ASSESSMENT</b>
<b>MONTANA-DAKOTA UTILITIES CO. FOR )</b>	<b>OF FILING FEE AND</b>
<b>AUTHORITY TO INCREASE RATES FOR )</b>	<b>SUSPENSION OF</b>
<b>NATURAL GAS SERVICE )</b>	<b>IMPOSITION OF TARIFF</b>
<b>)</b>	<b>NG02-011</b>

On December 30, 2002, Montana-Dakota Utilities Co. (MDU), filed with the Public Utilities Commission (Commission) an application to increase natural gas rates in its Black Hills service territory. The application seeks an increase in rates in the approximate amount of \$2,173,380 or approximately 5.8%.

SDCL 49-1A-8 authorizes the Commission to require a deposit of up to one hundred thousand dollars (\$100,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1A, 49-34A and ARSD 20:10:01:15.02 and 20:10:01:15.03.

At its regularly scheduled meeting of January 16, 2003, the Commission considered this matter. The Commission found that pursuant to SDCL 49-1A-8, MDU shall be assessed a filing fee as requested by the executive director up to the statutory limit of \$100,000. Further, an intervention deadline of February 7, 2003, has been established. Pursuant to SDCL 49-31-14, the Commission suspended the operation of the schedule of rates proposed by MDU for 90 days beyond January 30, 2003. It is therefore

ORDERED, that MDU shall deposit a filing fee, to be established by the executive director, in the SDPUC regulatory assessment fee fund and shall deposit any additional amounts as requested by the executive director, not to exceed the statutory limit; it is further

ORDERED, that the proposed schedule of rates shall be suspended for 90 days beyond January 30, 2003, pursuant to SDCL 49-34A-14; and it is further

ORDERED, that the deadline for filing petitions to intervene in this case is February 7, 2003.

Dated at Pierre, South Dakota, this 28th day of January, 2003.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

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ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner